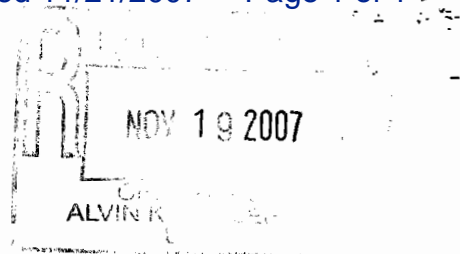


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
DATAART ENTERPRISES, INC.,

Plaintiff,

Index No.: 07 CIV 8209

-against-

NOTICE OF  
DISCONTINUANCE

NETWORK PHYSICS, INC.

Defendant.  
-----X

PLEASE TAKE NOTICE that this action is voluntarily discontinued by plaintiff

DataArt Enterprises, Inc.

Dated: New York, New York  
October 22, 2007

*So ordered  
11/20/07  
[Signature]*

LYNCH ROWIN LLP

By: [Signature]  
Marc Rowin (MR 6758)

630 Third Avenue  
New York, New York 10017  
(212) 682-4001  
Attorneys for Plaintiff DataArt  
Enterprises, Inc.

TO: Network Physics, Inc.  
491 Fairchild Drive  
Mt. View, California 94043

*11/21/07*  
**MEMO ENDORSED**